

REMARKS

The following comments are responsive to the Office Action mailed December 2, 2009 (“Action”). Reconsideration and allowance are respectfully requested based on the above amendments and the below remarks.

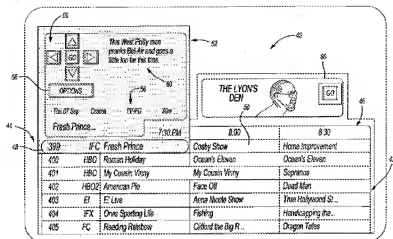
Allowable Subject Matter

Preliminarily, Applicants note with appreciation the indication that the application contains allowable subject matter. Specifically, claims 2, 7-14, and 41-55 have been allowed and claims 25-35 have been objected to for being dependent upon a rejected base claim, but would be allowable if amended to incorporate all the features of their ultimate base claim and any intervening claims.

Claim Rejections Under 35 U.S.C. § 102

Claims 20, 24, 36, 39 and 40 stand rejected under 35 U.S.C. § 102(e) as being anticipated by Finseth et al. (US 2009/0193458). Applicants respectfully traverse for at least the following reasons.

Independent claim 39 has been amended to recite an apparatus comprising a processor configured to cause display of an EPG comprising a celled grid and a window, “wherein the window and the highlighted cell have a consistent background, and wherein the background differs from a background of other cells in the celled grid.” Support for the amended features may be found at least in Figure 2, reproduced below, of the instant application.

**Fig-2**

As can be seen, window 52 and highlighted cell 48 have a consistent background (e.g., a consistent background pattern) that differs from a background of cell 50 and other cells in EPG 40.

Finseth, however, does not disclose a consistent background for a window and a highlighted cell where the background differs from a background of other cells in a celled grid. Finseth relates to displaying an advertisement in an EPG. Figure 4, reproduced below, illustrates Finseth's EPG 88.

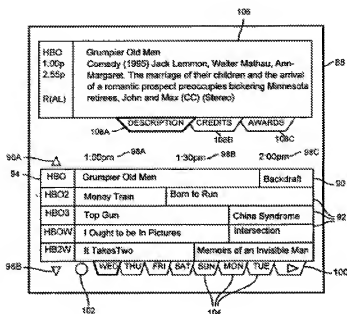


FIG. 4

Finseth discloses that, in Figure 4, the program "Grumpier Old Men" is selected in grid 90, and EPG 88 displays a description of the selected program in information window 106. *See also* Finseth at ¶63. As can be seen, the background in Figure 4 of Finseth is consistent for all cells in grid 90. Further, Finseth does not provide any disclosure of the selected program and information window 106 having a consistent background that differs from a background of other cells in grid 90. As such, Finseth does not disclose or suggest at least the amended claim 1 features of "wherein the window and the highlighted cell have a consistent background, and wherein the background differs from a background of other cells in the celled grid." Applicants respectfully submit that amended claim 39 is in condition for allowance and request withdrawal of the rejection under 35 U.S.C. § 102.

New claim 56 has been added and is allowable at least for reasons analogous to those given in support of claim 39.

The pending claims that depend from claims 39 and 56 are in condition for allowance at least due to their dependence on an allowable claim.

CONCLUSION

Applicants respectfully submit that the pending claims are in condition for allowance. Favorable reconsideration of this application is respectfully requested. The Examiner is invited to contact the undersigned should it be deemed necessary to facilitate prosecution of the application.

Respectfully submitted,
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